

Message Text

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17

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 TRSE-00 L-03 FRB-01 OMB-01

ITC-01 SP-02 USIA-15 AGR-10 AID-05 CIAE-00 COME-00

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FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 6339

INFO AMCONSUL ZAGREB

UNCLAS BELGRADE 2576

E.O. 11652: NA

TAGS: ETRD YO

SUBJ: GSP CERTIFICATE OF ORIGIN

REF: (A) STATE 91874 (NOTAL), (B) BELGRADE 2373 (NOTAL),
(C) 75 STATE 303308, (D) 75 STATE 302073.

1. SUMMARY. DESPITE GUIDANCE REFTEL A. YUGOSLAVS, AND PRESUMABLY OTHER BENEFICIARY COUNTRIES, SEEM TO BE CONFRONTED WITH CONFLICTING OFFICIAL U.S. INTERPRETATIONS IN REGARD TO COMPLETION OF GSP CERTIFICATE OF ORIGIN, ITEM 8. ACTION REQUESTED: UNIFORM INSTRUCTIONS TO ALL CONCERNED, INCLUDING U.S. CUSTOMS OFFICES, AND ADDITIONAL GUIDANCE FOR YUGOSLAV FOREIGN TRADE SECRETARIAT. END SUMMARY.

2. YUGOSLAV EXPORTERS, ACTION ON U.S. INSTRUCTIONS WE CONVEYED TO THEIR FOREIGN TRADE SECRETARIAT, HAVE BEEN ENTERING IN ITEM 8 OF FORM A THE VALUE IN PERCENTAGE TERMS OF YUGOSLAV MATERIAL AND PROCESSING, I.E., VALUE ADDED. SUCH STATEMENTS BY EXPORTERS HAVE BEEN APPROVED BY YUGOSLAV CERTIFYING OFFICES AS CONFORMING WITH INSTRUCTIONS CONTAINED REF D (WHICH WE PASSED TO FOREIGN AFFAIRS SECRETARIAT) AND REAFFIRMED REF A. ACCORDING TO FOREIGN TRADE SECRETARIAT,
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INSTRUCTIONS IN SIMILAR VEIN WERE GIVEN BY A U.S. STATE DEPARTMENT

OFFICIAL AT UNCTAD/UNDP - SPONSORED SEMINAR ON GSP HELD NOVEMBER 1975 IN BRUSSELS.

3. IN PRACTICE, HOWEVER, THE YUGOSLAVS INFORM US THAT U.S. CUSTOMS OFFICERS IN LOS ANGELES AND NEW ORLEANS HAVE REFUSED TO ACCEPT FORM A WHEN ITEM 8 IS COMPLETED IN THE ABOVE MANNER, SHOWING YUGOSLAV VALUE. THE CUSTOMS OFFICIALS REPORTEDLY HAVE INSISTED ON EXACTLY THE OPPOSITE -- THAT ITEM 8 SPECIFY THE PERCENTAGE OF ANY NON-YUGOSLAV VALUE.

4. THE ALLEGED INTERPRETATION BY U.S. CUSTOMS OFFICERS WOULD SEEM TO CONFORM WITH INSTRUCTIONS ON FORM A ITSELF AND ALSO ACCORD WITH REFTEL C, WHICH FOLLOWED ORIGINAL INSTRUCTIONS REF D. PARA 4 REFTEL C STATED THAT, PENDING ISSUANCE OF STILL MORE INSTRUCTIONS, U.S. CUSTOMS WOULD ACCEPT FORM A AS CURRENTLY WRITTEN.

5. THE DIFFICULTY OVER INTERPRETATION OF ITEM 8 APPARENTLY HAS IMPEDED SHIPMENTS OF YUGOSLAV WOODEN PRODUCTS THROUGH LOS ANGELES AND OF FERRO-ALLOYS THROUGH NEW ORLEANS. EMBASSY HAS RECEIVED A LETTER FROM FOREIGN AFFAIRS SECRETARIAT WHICH STATES THAT YUGOSLAVS ARE NOW AT A LOSS TO INTERPRET PROVISIONS ON ORIGIN REQUIREMENTS. EMPHASIZING "EXCEPTIONAL IMPORTANCE" WHICH YUGOSLAVIA ATTACHES TO U.S. GSP, LETTER ASKS FOR OFFICIAL U.S. INTERPRETATION.

6. WHILE NOTING SUGGESTION REFTEL A THAT TRADERS, PREFERABLY U.S. IMPORTERS, CAN CONTACT GSP PROGRAM MANAGER IF PROBLEMS ARISE, EMBASSY CONSIDERS IT APPROPRIATE TO ADDRESS THIS PROBLEM ON GOVT LEVEL. IN OFFICIAL COMMUNICATIONS AND BRIEFINGS, USG HAS EXTOLLED OUR SYSTEM OF GSP, ENCOURAGED BENEFICIARY COUNTRIES TO UTILIZE SYSTEM, AND PROVIDED INSTRUCTIONS WHICH APPARENTLY HAVE RECEIVED CONFLICTING INTERPRETATION BY USG CUSTOMS OFFICES IN AT LEAST TWO MAJOR PORTS. EMBASSY REITERATES RECOMMENDATION REFTEL B FOR UNIFORM INSTRUCTIONS TO ALL CONCERNED AND WOULD APPRECIATE ADDITIONAL GUIDANCE TO GIVE TO FOREIGN TRADE SECRETARIAT. SILBERMAN

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